Convention on the Rights of Persons with Disabilities

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Summary record of the 420th meeting
Held at the Palais des Nations, Geneva, on Thursday, 13 September 2018, at 10 a.m.

Chair: Ms. Degener

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The meeting was called to order at 10 a.m.

Consideration of reports submitted by parties to the Convention under article 35 (*continued*)

Initial report of the Philippines (*continued*) (CRPD/C/PHL/1, CRPD/C/PHL/Q/1 and CRPD/C/PHL/Q/1/Add.1)

1. *At the invitation of the Chair, the delegation of the Philippines took places at the Committee table.*

Articles 11–20 (continued)

2. **Mr. Lee** (Philippines), responding to questions raised on article 11 on situations of risk and humanitarian emergencies, said that, as his country was particularly vulnerable to natural disasters such as typhoons, special action plans had been developed and a disability-inclusive disaster risk reduction and management manual had been produced in cooperation with Handicap International and other international agencies and organizations of persons with disabilities. The manual, which covered all stages from preparedness and mitigation to response and recovery, was used in training programmes of the Department of the Interior and Local Government and the National Disaster Risk Reduction and Management Council. Local Government Units were required to include organizations of persons with disabilities in local councils that dealt with disaster risk reduction and management.

3. **Ms. Bonagua** (Philippines) said that Local Government Units were being mandated to ensure that the concerns of persons with disabilities and other vulnerable sectors were fully taken into account in the planning, implementation and budgeting for disaster risk reduction programmes and policies. One quarter of the members of local development councils — the main planning bodies of Local Government Units — were representatives of vulnerable sectors. The Department of Budgeting and Management had updated its budget operations manual for local governments with an emphasis on participatory budgeting that included vulnerable sectors, such as persons with disabilities. The establishment of the Persons with Disabilities Affairs Office ensured that all local programmes and policies, including disaster risk reduction and management interventions, addressed the needs of persons with disabilities.

4. **Mr. Garcia** (Philippines) said that the Philippine Government and the United Nations Office for Disaster Risk Reduction had renewed their commitment to strengthening their partnership and to maintaining the momentum generated by the Sendai Framework for Disaster Risk Reduction. The Philippines was a strong supporter of "all-of-society engagement" and partnership in disaster risk reduction and the inclusion of vulnerable groups, such as persons with disabilities. A bill was before the House of Representatives on the establishment of a department of disaster resilience to recognize and respond to the needs of vulnerable groups. The Government had increased the budget for disaster resilience projects and programmes from US$ 295 million in 2013 to US$ 2 billion in 2016, with provision made for direct assistance to be offered to the most vulnerable municipalities through disaster risk financing and insurance schemes. The Government was committed to engaging with stakeholders to build community resilience through, for example, public-private partnerships that gave vulnerable communities access to resources to support risk reduction efforts.

5. The Government also continued to conduct intensive information and education campaigns and had mainstreamed disaster risk reduction in various sectors, including in the school curriculum. The Government and United Nations Office for Disaster Risk Reduction conducted training and workshops on disaster risk reduction. The Philippines had recently organized a regional workshop on disaster risk reduction that included specific elements for persons with disabilities. The Government was, furthermore, preparing to participate in the Global Platform for Disaster Risk Reduction in Geneva in 2019.

6. **Mr. Lee** (Philippines) said that it was true that several years previously there had been a case in which a blind person had been refused permission to open a bank account without a co-signatory, but that issue had now been resolved. Banking institutions now accepted certification from the National Council on Disability Affairs as proof of disability.

There was a bill before the House of Representatives on making all new automated teller machines (ATM) accessible to persons with visual impairments. The law on guardianship did not require that persons with disabilities should automatically be placed under guardianship; guardianship decisions were taken by the courts based solely on the criterion of necessity.

7. **Ms. Daytec-Yañgot** (Philippines) said that, under Philippine law, legal capacity was the capacity to be the subject of legal relations, was inherent in every human being and could never be lost. The capacity to act, however, was acquired, and could be limited or lost. Under the Civil Code, the fact of being deaf or having an intellectual or psychosocial disability constituted a limitation on the capacity to act and thus on the exercise of the right to vote. Equality before the law was a fundamental principle in Philippine law. However, equality was one issue and then there was equity, which demanded that unequal persons should be treated differently. Disability was therefore a ground for treating persons differently in order to achieve equity. Philippine laws, including those on guardianship, afforded persons with disabilities a high level of protection. By law, contracts entered into by persons with intellectual and psychosocial disabilities could be voided because of the possibility of vitiation of consent.

8. The Supreme Court had recently ruled that, since "insanity" was a condition of the mind, establishing the existence of the condition was not susceptible to the usual means of proof and often required opinion testimony, which could be given by a witness intimately acquainted with the individual concerned or by a qualified expert such as a psychiatrist. It was not easy to prove mental impairment. Psychosocial or intellectual disability limited a person's capacity to dispose of property. However, as there was a strong legal presumption in favour of soundness of mind, any person alleging another person's disability must prove it in court. The disability must be such that it incapacitated the sufferer from exercising self-agency. Any act of dispossession carried out on behalf of another on account of alleged disability was void or of no legal consequence without a court pronouncement establishing the presence of a psychosocial or intellectual disability.

9. Persons with intellectual or psychosocial disabilities were exempt from criminal responsibility; insanity was a defence. The last time the Supreme Court had acquitted a person with a psychosocial disability had been in 2016 in *Solomon Verdadero y Galera v. the People of the Philippines*. The revised Penal Code stipulated that a person who was proven insane would be confined to a designated hospital or asylum and would not be permitted to leave without the permission of a court. The measures taken to implement that provision would now have to be consistent with the recently adopted Mental Health Law, which anchored institutionalization measures in a human rights based approach. The Philippines was not inclined to move away from the protection-oriented thrust of its laws concerning persons with disabilities, as they were vulnerable to abuse and exploitation, but would seek to reconcile its approach with an empowerment-based orientation, consistent with the human rights-based approach of the Convention. The fact of having a psychosocial or intellectual disability did not negatively affect the right to marry; it merely gave a person with such a disability grounds for annulment.

10. **Mr. Ong** (Philippines) said that the general rule in the new Mental Health Law was very clear: informed consent was necessary prior to the administration of any treatment. Breaches of the rule carried a penalty of from 6 months to 2 years' imprisonment or a fine of the peso equivalent of US$ 3,600. Members of the medical profession and others with a similar legal status would only resort to the exceptions to the requirement of informed consent in special circumstances, such as in the event of loss of decision-making capacity or a psychiatric emergency, and only after very careful consideration. Even then, certain conditions must be met. There was an ongoing discussion of the Law's implementing regulations and there were plans to consult civil society organizations and persons with disabilities about them.

11. **Ms. Daytec-Yañgot** (Philippines), replying to questions on access to justice, said that the 33 assistance desks for persons with disabilities set up by the Public Attorney's Office nationwide had provided judicial and non-judicial services to a total of 27,644 individuals in the past four years. There were plans to increase the number of desks across the country. The Department of Justice and the Public Attorney's Office, in cooperation

with the National Council on Disability Affairs, had been conducting awareness workshops among prosecutors, judges and lawyers on the rights of persons with disabilities. All persons in the Philippines, including persons with disabilities, had access to all remedies provided for in judicial and quasi-judicial processes and could challenge discriminatory laws before the courts. In labour disputes, persons with disabilities could bring cases to the National Labour Relations Commission.

12. The delegation had taken good note of the Committee's remarks concerning the State party's legal lexicon, including the use of terms such as "mental retardation" and "imbecility". Such terms were found in laws enacted more than 50 years earlier and reflected the language considered acceptable at the time. However, language evolved and the State party would endeavour to expunge all such terms from its statute book and raise awareness of the importance of appropriate terminology among all relevant stakeholders. All new laws and policies used appropriate language consistent with international norms, including the Convention. The use of the acronym "pwd" to refer to persons with disabilities would also be avoided in future.

13. There was no policy of forced sterilization in the Philippines. In fact, under the revised Penal Code, it was a crime to mutilate the reproductive organs of another person. Forced sterilization was also a crime under the reproductive health law. There appeared to have been a misunderstanding in relation to the right to protection against torture. As set out in the Constitution, the right to protection against torture was related to custodial investigation of persons accused of committing a crime and not to the forms of torture covered by the Convention, such as forced institutionalization and involuntary treatment. However, under the Constitution, once the Philippines had ratified an international instrument, it became part of domestic law. The current definition of torture would be expanded to cover forms relevant to persons with disabilities.

14. **Ms. Villar** (Philippines) said that the Department of Social Welfare and Development had issued a circular intended to address the needs of children who could not be cared for by their own families, to promote community-based alternative family care and to reduce the chances of children being placed in residential care. The circular provided for a community-based foster care programme for children with disabilities whose families could not care for them temporarily and for adoption or legal guardianship arrangements for children whose reintegration into the family was no longer possible. It also stated that no new residential care facilities would be established by public or private agencies, unless in exceptional circumstances, and that the number of persons discharged from existing residential facilities should always exceed the number admitted. The implementing regulations of the Magna Carta for Persons with Disabilities stressed the importance of providing aftercare and follow-up services in the community for the continued rehabilitation of persons with disabilities discharged from residential care or rehabilitation centres. Social workers assisted in the reintegration of persons with disabilities into the family and community to help them become productive and self-reliant members of society.

15. **Ms. Bonagua** (Philippines) said that the country's law on the control and eradication of mendicancy had been enacted to promote social justice and protect the life, property and dignity of the citizens of the Philippines. As suggested by the law, giving alms to the needy was not the right way to help them. The problem of begging persisted, however. Persons with disabilities found begging or being used in begging were apprehended as neglected persons with disabilities and committed to the cost and care of the Department of Social Welfare and Development or any licensed placement agency. Alternatively, they were returned to their families.

16. **Mr. Mateo** (Philippines), responding to the question about the teacher who had abused 20 deaf primary schoolchildren, said that an initial complaint had been filed by the parents of five deaf boys and the teacher had been suspended for 90 days pending a preliminary investigation. A formal investigation committee had been set up and was due to submit its report for disposition of the case. Allegations against teachers were to be reported immediately to the offices of the Department of Education.

17. **Mr. Lee** (Philippines) said that government agencies did not currently collect specific statistics on violations of the integrity of persons with disabilities but efforts would be made to do so in future.

18. **Mr. Ong** (Philippines) said that he agreed that the word "retarded", when used to refer to persons with disabilities, should be removed from people's vocabularies. The members of the delegation had not encountered the word used in that context in any official government communication in recent years and nor was it used in the new Mental Health Act, which indicated that the term had fallen into disuse.

19. **Mr. Lee** (Philippines) said that the National Council on Disability Affairs had reviewed the terminology used in older laws and regulations and had begun work to harmonize it with the language of the Convention. The immigration law that prohibited the entry of refugees with a mental disability had been passed prior to the adoption of the Magna Carta for Persons with Disabilities and ratification of the Convention. A proposal to amend the relevant law was currently before Congress.

20. **Ms. Daytec-Yañgot** (Philippines) said that there was no record of any individual having been deported in the past 10 years on account of a disability. However, the Government acknowledged that a tolerant attitude or the non-application of the law did not equate to repealing it, and legislative efforts were therefore under way to modify the immigration law.

21. **Mr. Lee** (Philippines) said that the title of the Magna Carta for Persons with Disabilities — a law providing for rehabilitation, self-development and self-reliance of disabled persons and their integration into the mainstream of society — highlighted the importance attached to independent living and inclusion in the community. Among its basic principles, the Magna Carta specified that persons with disabilities were part of Philippine society and had the same rights as others to take their proper place in society, with the support of the family, the community and all government and non-governmental organizations. However, further efforts were required to achieve substantive equality in practice as well as formal equality in law. Great importance was attached to improving the accessibility of the physical environment, transportation and information and communications technology and providing reasonable accommodations to support the independence of persons with disabilities. The Department of Social Welfare and Development and the National Council on Disability Affairs had recently started providing funds to acquire assistive devices, and guidelines were being developed to ensure that the devices distributed were appropriate for the recipient's age and type of disability. The Government did not advocate a charity-based solution to the provision of assistive devices. Attention was also being paid to personal assistance services. The disability support fund being proposed to Congress would support the provision of support services in the community. All persons with disabilities, regardless of the type of disability, were entitled to the tax incentives provided for by law.

22. **Ms. Brigola** (Philippines) said that the Government had taken action to follow up on the recommendations of the Committee on the Elimination of Discrimination against Women and promote and protect the sexual and reproductive health rights of women, including women with disabilities. Such measures included the enactment of legislation on responsible parenthood and reproductive health, the expansion of the public health insurance system to cover the cost of modern contraceptive methods, capacity-building of public health providers in the area of family planning and processing of complaints against government health employees for cases of abuse or discrimination, including on account of disability. Age-appropriate education on sexual and reproductive health had also been incorporated into the school curriculum and there were education and awareness campaigns on the subject. Efforts were also being made to strengthen collaboration with civil society organizations and international development partners. Comprehensive information on the follow-up to the recommendations was contained in the mid-term report submitted to the Committee on the Elimination of Discrimination against Women in September 2018.

23. **Ms. Robinson** (Philippines) said that the guidelines under the Public Utility Vehicle Modernization Programme applied not only to city buses but also to other forms of public

transport, including jeepneys. Transport service providers would be given a transitional period to comply with the accessibility standards.

24. **Ms. Bonagua** (Philippines) said that an assessment of the disability support indicators used by Local Government Units was carried out annually.

Articles 21 to 33

25. **Mr. Chaker** said that he would be interested to know about the accessibility of recreational, leisure, sports and cultural facilities and events for persons with all types of disabilities and what kind of financial support athletes with disabilities, including deaf athletes, received to participate in international sporting competitions. He would welcome an update on the status of ratification of the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled and the provision of accessible materials for learners with disabilities in basic, vocational and higher education. He would appreciate information on any policies and programmes for the procurement of assistive devices and personal assistance services.

26. **Mr. Martin** said that he would like to know whether the State party provided persons with intellectual and/or psychosocial disabilities with public information in Easy Read format. It would also be useful to hear about what was being done to improve health outcomes for persons with intellectual disabilities, especially those accommodated in institutions. Was information about health care available in accessible formats such as Braille, sign language and Easy Read?

27. **Mr. Basharu** said that the Committee would appreciate further information on the measures that had been taken to ensure that parents with disabilities and parents of children with disabilities could adequately perform their parental roles.

28. There appeared to be more emphasis on social education rather than inclusive education in the State party. It would therefore be useful to know what steps were being taken to ensure access to inclusive education for children with disabilities and to provide training on inclusive education for teachers.

29. Regrettably, as far as the participation of persons with disabilities was concerned, the State party's legislation on electoral process did not guarantee voting secrecy, the accessibility of polling stations or the availability of information in accessible formats such as Braille, sign language and Easy Read. He was therefore eager to learn what steps would be taken to improve the electoral process for persons with disabilities.

30. The Committee would also like to know what measures were being taken to designate focal points and an independent monitoring mechanism for matters relating to the implementation of the Convention, in accordance with article 33. How would the State party ensure the full inclusion, consultation and participation of persons with disabilities in the monitoring process?

31. **Mr. Lovászy** said that the Committee would welcome an explanation of how the State party ensured that assessment of the working capacity of persons with disabilities were conducted in line with the human rights model laid out in the Convention. What happened if a person wanted to challenge the outcome of an assessment? Could that person appeal for remedies? How much would such a procedure cost and how long would it take? It would also be useful to see statistics on the country's so-called reasonable accommodation services, broken down by the services offered to different groups of persons with disabilities.

32. In the context of the quota system, the Committee would like to know what sanctions and incentives were in place to encourage employers to take on persons with disabilities. What were the average sanctions imposed and compensations received? What institutional guarantees were in place to prevent bogus employment practices in relation to the quota system? It would also be helpful to know how many persons with disabilities worked in decision-making positions in the public sector and whether there was a road map for increasing the number of persons with disabilities in work. Lastly, the Committee would greatly appreciate further information on how the Government intended to address the issue of deaf people being unable to obtain a driving licence.

33. **Mr. Kabue** said that the Committee would be interested to know whether certified sign language training was provided in relevant institutions and whether mechanisms were in place to make sign language services available to deaf persons in those institutions.

34. The Committee would also welcome further information on the issue of children with disabilities from rural areas being sent to school in urban areas, so that they were separated from their families and the families were no longer able to claim social protection benefits because the child was no longer living with them. Could the delegation expand on what was being done to address the issue?

35. With regard to health care, the delegation was invited to explain what the Government was doing to ensure that all persons with disabilities received free medical services. In principle, free health care should be available to them at all hospitals, but there had been reports of service shortages in rural areas. The Committee would also like to know what level of resources had been invested in strengthening community-based rehabilitation services. What had the impact of those investments been? The development of community-based rehabilitation was an initiative that had been primarily driven by non-governmental organizations, so it would be interesting to understand the nature of the Government's involvement.

36. The Committee would like to know how many members of parliament had disabilities and would welcome further information on what affirmative action was being taken to ensure that persons with disabilities were represented in parliament. Lastly, it would be helpful to know how many families of persons with disabilities were currently benefitting from conditional and non-conditional cash transfers.

37. **The Chair**, noting with regret that mental health legislation in the State party provided for exceptions to be made to the rule on informed consent in a crisis, said that all systems of substituted decision-making were in conflict with the Convention. The Committee would like to know whether the State party would be prepared to look into the legislation in countries that were taking measures to abolish guardianship and substituted decision-making. The State party was also encouraged to consult the Committee's guidelines on the issue of discriminatory torture.

38. **Mr. Langvad** said he was concerned that the laws adopted by the State party to protect the rights of persons with disabilities were not having a real impact on their lives. For example, if a person suffered a spinal cord injury in the Philippines and needed to use equipment such as a ventilator, a respirator, a wheelchair or a catheter, would that person be obliged to stay in hospital or would the family, regardless of income level, have access to funding to purchase the necessary equipment and thus allow the person to continue living in the family home?

39. **Mr. Ruskus**, pointing out that a personal assistant service had been piloted by organizations for persons with disabilities in the Philippines, asked why that service had not received government support.

40. **Mr. Buntan** said that he was waiting to hear from the delegation about how the State party ensured that high quality Braille materials and information in other accessible formats were made available in technical and higher education. He had received reports indicating that deaf persons who had been victims of rape had not been provided with sign language services during court proceedings. How many such cases had there been, and had the State party taken any steps to address the issue?

41. The Committee would welcome clarifications as to whether persons with intellectual and/or psychosocial disabilities could be denied the right to vote because of limitations placed on their capacity to act. If so, it would be useful to know whether the Government intended to support those persons so that they could have their capacity to act restored. Lastly, given that a "no-rejection" policy had to be enforced in order to guarantee truly inclusive education, the Committee would like to know whether any measures were in place to ensure that all children with disabilities enjoyed full access to mainstream schools.

42. **Mr. Kim** Hyung Shik said that there had been reports of deaf children and children with disabilities being abused or even raped by their teachers and head teachers. He would welcome information from the delegation on what was being done to prevent the recurrence

of such incidents. An explanation would also be appreciated as to why no clear strategy appeared to be in place to promote and ensure a successful transition from institutional care to independent living for persons with disabilities. Moreover, how could the State party guarantee quality education for deaf children if there was no national sign language, and if teachers at deaf schools were not being encouraged to learn sign language?

43. It would also be helpful for the Committee to know whether a comprehensive approach was in place to incorporate the issues covered in the Convention into other disability-inclusive development initiatives in the country, for example, the national programmes to implement and monitor the Sustainable Development Goals. Furthermore, the Committee would appreciate further information on how and to what extent persons with disabilities and their organizations were involved in designing, implementing, managing and monitoring international aid projects or disability-inclusive projects.

The meeting was suspended at 11.40 a.m. and resumed at 12.15 p.m.

44. **Mr. Lee** (Philippines) said that his country did not currently provide information in the Easy Read format, but the issue would be raised with the Department of Information and Communication Technology as part of efforts to make more information available in accessible formats.

45. Regarding access to transport, deaf persons could obtain standard driving licences but could not currently apply for professional licences to drive public vehicles. Steps would nonetheless be taken to ensure that skilled and trained deaf drivers had access to all types of licence.

46. At present, there was no accredited body responsible for the certification of sign language interpreters. The harmonization of sign language use in the country was still a matter for debate in the deaf community, and agreement had yet to be reached on whether to adopt American Sign Language or Filipino Sign Language at the national level or to encourage deaf persons to learn sign language adapted to the mother tongue of their communities. Once that decision had been made, an entity would be created and given responsibility for certifying sign language interpreters.

47. **Mr. Mateo** (Philippines) said that, under the Enhanced Basic Education Act of 2013, which set out provisions for mother tongue-based multilingual education in the country, Filipino Sign Language had been adopted by the Department of Education as the first language for deaf schoolchildren in the country. Those students also learned to read and write in other languages. Furthermore, deaf students were taught basic knowledge of American Sign Language at school in order to prepare them for the world of work or higher education. Despite the absence of an official national sign language, the Department did continue to provide training for teachers in various sign languages while it awaited the approval of the Filipino Sign Language Law.

48. **Ms. Villar** (Philippines) said that support to parents of children with disabilities was provided by the community, civil society and organized parent groups, but the Government also organized and delivered support programmes and services. The Parent Effectiveness Service ran family development sessions to facilitate exchanges of ideas and information about children with disabilities and the role that parents could play in helping their children to flourish. A total of 216,516 households of persons with disabilities were currently receiving conditional cash transfers as part of a flagship human development programme introduced by the Government to improve access to health and education in disadvantaged households. According to a Department of Social Welfare and Development report, in 2017, the Government had provided disability benefits to support the education and health of 6,279 children with disabilities aged between 3 and 18.

49. **Mr. Lee** (Philippines), referring to the Committee's comments about children with disabilities from rural areas being sent to urban schools, said that the Government's policy was to work towards a fully inclusive education system. While children with disabilities were being sent to the urban schools that could best cater for their needs, teachers and school administrators all over the country were receiving training so as to ensure that, in the future, more schools would be equipped to accept children with disabilities.

50. **Mr. Mateo** (Philippines) said that, in addition to promoting inclusive education, the Department of Education continued to recognize special education centres. Funding for the centres had been increased in 2010 in order to upgrade the quality of special education programmes and services and improve access to them. The Department had set aside significant funding for the acquisition of textbooks and instruction materials for learners with special education needs. In that way, the Government recognized the contribution that special education could play in preparing students for inclusion in the mainstream school system and the community.

51. As far as the delegation was aware, the "no rejection" policy was indeed being implemented in the Philippines. A system of early school registration was conducted every January to ensure that all children were enrolled in public education. The delegation would therefore be thankful if the Committee could pass on details of any reports that it had received of children being rejected by schools.

52. **Ms. Cuevas** (Philippines) said that the Government had introduced measures, including a 20 per cent discount and value added tax exemption on purchases of health-care products, to improve health outcomes for persons with disabilities. The Filipino health insurance corporation provided health benefit packages for children with disabilities, comprising assessments by medical specialists and health professionals and support for rehabilitation therapy. Under the Newborn Screening Act of 2004, all newborns were screened for genetic, metabolic and infectious conditions to allow for early treatment and to avert the possible consequences, which included intellectual disabilities. Under the Mental Health Act improved services were to be guaranteed for persons with neurological disorders and developmental disabilities.

53. Lastly, community-based rehabilitation services were still mainly provided by non-governmental organizations. However, a number of Local Government Units were also now developing activities that area.

54. **Ms. Cabotaje** (Philippines) said that the President of the Philippines had established the transition to a system of universal health care as a priority for all citizens, including persons with disabilities. At present, free medication tended to be made available for inpatients, but access was more restricted for outpatients. A medical access programme had been introduced that provided treatments for psychosocial conditions, but it did not yet offer services for persons with intellectual disabilities. However, the President had initiated a new programme built around the opening of a number of medical centres located in government hospitals to serve as a one-stop shop for medicines and services for inpatients and outpatients, especially poor citizens and persons with disabilities. Owing to funding issues, the centres had only been opened in selected hospitals.

55. Regarding the use and availability of wheelchairs, the Department of Health had trained 76 wheelchair assessors, whose services were accessible to children with disabilities. Although no special benefits packages were available for adults, the Department had published guidelines on the use and customization of wheelchairs. The Department of Health was currently unable to provide catheters, ventilators or respirators to outpatients, as there was a shortage of equipment in the country's hospitals. It was hoped that the issue would be resolved with the help of the disability support fund.

56. **Mr. Cruz** (Philippines), referring to the Committee's questions regarding article 27, said that the laws on employment quotas had been amended in 2013. The legislation in force stated that at least 1 per cent of all positions in government agencies should be reserved for persons with disabilities and that private corporations with 100 or more employees were encouraged to follow suit. In August 2017, 7,250 out of 2.42 million public sector employees had been persons with disabilities. No up-to-date information was available on the number of persons with disabilities who had applied for positions in government agencies. With regard to the private sector, of the 4.38 million workers currently employed by companies with 20 or more employees, 3,504 had disabilities. Unfortunately, no data were available on companies with 100 or more employees. Since the adoption of the law known as the "Magna Carta for Persons with Disabilities" in 2013, the State had provided incentives to private companies by offering to cover 25 per cent of the wages of employees with disabilities.

57. Persons with disabilities were encouraged to attend job fairs that the Department of Labour and Employment ran jointly with local government offices and civil society organizations. At one such event in Quezon City in 2017, persons with disabilities had been able to take advantage of a wealth of specific employment services. The Department had registered 62 job applications from persons with disabilities, including 37 from persons who had the right qualifications and 4 from persons who were hired on the spot.

58. In 1995, the State had created an inter-agency committee on employment promotion, protection and rehabilitation for persons with disabilities. A field had been added to Philjobnet, an Internet-based job search engine, to allow people to search for job vacancies that were suitable for persons with disabilities. According to Department of Labour and Employment records, 266 companies had published job vacancies for persons with disabilities on Philjobnet, for positions such as call centre staff, food servers, computer programmers, technical writers, sales managers, IT specialists and accounting staff. The Department was now monitoring whether larger employers were complying with the 1 per cent quota, in order to boost the hiring of persons with disabilities.

59. **Mr. Calumpang Mariano** (Philippines) said that, although no data were currently available on the number of persons with disabilities employed in decision-making positions in the public sector, appropriate steps would be taken to record those data in the future. Since 2014, two memorandums had been sent to government agencies encouraging them to hire more persons with disabilities. The first memorandum, issued in 2014, called on the heads of all government agencies to comply with the 1 per cent policy, while a second memorandum in 2017 offered guidelines on administering civil service examinations for persons with disabilities.

60. **Ms. Orogo** (Philippines) said that the delegation would send the Committee written replies to the remaining questions in the following 24 hours.

61. **Mr. Ong** (Philippines), thanking the Committee for two days of constructive dialogue, said that the delegation had been paying close attention to the values and fundamental concerns that underpinned the Committee's interventions. The Government would endeavour to translate those values into tangible benefits for persons with disabilities. Monitoring mechanisms would be strengthened in order to guarantee an appropriate response to the Committee's concluding observations and recommendations, and relevant national forums would be organized with the participation of government agencies, civil society organizations and persons with disabilities. Every effort would be made to raise awareness of the Convention among all persons living in the country and to ensure that the dialogue served as a springboard to further advance the promotion, protection and fulfilment of the rights of persons with disabilities in the Philippines.

62. **Ms. Tandora-Armamento** (Commission on Human Rights, Philippines), commending the members of the delegation on their openness to the Committee's recommendations, said that it would be helpful if timelines could be set for concrete measures to deliver services in fulfilment of the Convention. She encouraged the Government to: establish an independent mechanism to monitor the implementation of the Convention; ensure that persons with disabilities actively participated in the drafting of the implementing regulations for the Mental Health Act; and to make funding available to allow persons with disabilities to be included in government processes and become partners in governance and development. Lastly, the Commission wished to recommend that the State party should pass the comprehensive anti-discrimination act and enact the pending bill on inclusive education for children and youth with special needs.

63. **The Chair**, thanking the delegation for the constructive dialogue, said that she hoped that the Committee's recommendations would help the State party in its implementation of the Convention.

The meeting rose at 1.00 p.m.